



IN The United STATES DISTRICT COURT
For The Southern District of West Virginia
AT Bluefield

Arnold Clayton
Petitioner

V.

CASE NO 1:22-cv-00104

WARDEN
F.C.I McDowell

Emergency
PETITION for a WRIT of Habeas
Corpus Under 28 U.S.C. 2241

Comes Now Petitioner Arnold Clayton prose, files
this motion in emergency need, to the Above Court.
Petitioner further moves this Court to GRANT
all Request of his motion Due to a violation of
His Constitutional Rights AT F.C.I McDowell Prison
this motion should be Granted Expediently
STATEMENT of The Case

Arnold Clayton Federal Register Number #28226-018
designated AT Federal Correctional Institution (F.C.I)
McDowell West Virginia AT 2-24-2022 by the
Federal Bureau of Prisons (Bop)

The petitioner was indicted for ~~the~~ ~~a~~ distributing Crack Cocaine 841(b)(1)(C) ~~and~~ ~~but~~ plead to one Count .22 grams of Crack Cocaine, petitioner was enhanced as a career offender and ~~served~~ serving 210 months in Federal Prison the petitioner has 86 months to Release

Argument

Petitioner wishes to Challenges the execution of his sentence where his Constitutional Rights has been violated and his conditions of prison ~~to~~ Cause him physical and mental harm

Memorandum of Law

The proper scope of a Petition for a writ of Habeas Corpus under 28 USC 2241 is to Challenge the Execution of a Federal sentence see United States v Shaw 748 F.2d 928 933-34 (4th Cir 1984)

including such matters as the administration of parole, computation of a prisoner's sentence by prison officials prison disciplinary actions prison transfers, types of detention and prison conditions Timinian v Nash 245 F.3d 144 146-47 (2d Cir 1991) see also Hawkins v Coakly No 5:15-cv-13674 2017 WL 960034 at *2 S.D. W. VA Feb 17, 2017 Report and Recommendation adopted Hawkins v. Million 2017 WL 960026 at *1 (S.D. W. VA) (Mar. 10, 2017)

Petitioner Attached As Exhibits to the Court 1) Copy of Bp 8 to warden 2) Copy of petitioner's Complaint at the FCI McDowell prison (front and back one page) to warden (Attached As sensitive) 3) Exhibit 3 is a Email to CMC Head STAFF About the petitioner being Comp Eligible for Almost a year and Not been transferred Because the Pandemic This Pandemic has been a long lock down and still is lock down and the virus of Covid-19 is in every Building unit in FCI McDowell, FCI McDowell is hiding the true number of inmates and officers that Active positive with the Covid-19 as of now

The Petitioner's Complaint is in a Emergency Need Due to the prison Conditions, mistreatment, violations and misconduct of Staff and Administrators Petitioner move the Court to Compel the FCI McDowell of the follow

1) To show Cause why is the petitioner has been violated of his Rights and Medications Needs that he must have daily

2) Why would the STAFF AT FCI McDowell put the petitioner's life at Jeopardy, Hospitalization or Death Due to his Medical Conditions

In this case the petitioner Wants: 1) Early Release 2) \$4 million in Punitive damages 3) \$4 million in compensatory damages
(3)

The petitioner is on 24 hours locked down and have been mistreated for 2 months harshly and knowingly by staff.

Therefore the petitioner respectfully move this court to Grant his motion in full volume and Requests in his Complaint, Second the petitioner respectfully ask this Court To send Copies of this motion and Exhibits Back to the petitioner, At The Address below

Certificate of Service

I hereby Certify that A true copy of this motion is Being sent VIA mail from FCI McDowell to the Clerk of Courts ON 2-24-2022

[Signature]

Arnold Clayton
28226-018
F.C.I McDowell
P.O. Box 1009
Welch WV 24801

Arnold Clayton
28226-018
Federal Correctional Institution
P.O. Box 1009
Welch WV, 24701



Clerk of Courts
United States District Court
601 Federal Street Room 1000
Bluefield WV 24701

Legal mail /

24701-303378

~~Sensitive and Confidential~~

FEDERAL CORRECTIONAL INSTITUTION
McDOWELL
PO BOX 1029
WELCH, WV 24801
DATE _____

2-25-22

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